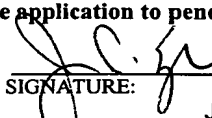


FORM PTO 1390 (REV 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 27392/26388	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (if known) (see 37 CFR 1.5) 10/509989	
INTERNATIONAL APPLICATION NO. PCT/EP03/01973		INTERNATIONAL FILING DATE 26 February 2003		PRIORITY DATE CLAIMED 8 April 2002	
TITLE OF INVENTION Ligament Tensioning Device with Cutting Jig and Osteotomy Procedure					
APPLICANT(S) FOR DO/EO/US Daniel DELFOSSE, Walter SUPPER, and Beat GRUNDER					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 					
Items 11 to 20 below concern document(s) or information included:					
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: International Search Report; International Preliminary Examination Report; return receipt postal card 					

U.S. APPLICATION NO. 10/509989 INTERNATIONAL APPLICATION NO. PCT/EP03/01973		ATTORNEY'S DOCKET NUMBER 27392/26388																																									
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).		CALCULATIONS PTO USE ONLY <table border="1" style="width:100%; border-collapse: collapse;"><tr><td style="width:50%;">\$ 920.00</td><td style="width:50%;"></td></tr><tr><td>\$</td><td></td></tr><tr><td colspan="2">TOTAL OF ABOVE CALCULATIONS =</td></tr><tr><td>\$ 920.00</td><td></td></tr><tr><td colspan="2"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td></tr><tr><td colspan="2">SUBTOTAL =</td></tr><tr><td>\$ 920.00</td><td></td></tr><tr><td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).</td></tr><tr><td>\$</td><td></td></tr><tr><td colspan="2">TOTAL NATIONAL FEE =</td></tr><tr><td>\$ 920.00</td><td></td></tr><tr><td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td></tr><tr><td>\$</td><td></td></tr><tr><td colspan="2">TOTAL FEES ENCLOSED =</td></tr><tr><td>\$ 920.00</td><td></td></tr><tr><td colspan="2"></td></tr><tr><td colspan="2" style="text-align: right;">Amount to be refunded:</td></tr><tr><td>\$</td><td></td></tr><tr><td colspan="2" style="text-align: right;">charged:</td></tr><tr><td>\$</td><td></td></tr></table>		\$ 920.00		\$		TOTAL OF ABOVE CALCULATIONS =		\$ 920.00		<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		SUBTOTAL =		\$ 920.00		Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).		\$		TOTAL NATIONAL FEE =		\$ 920.00		Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$		TOTAL FEES ENCLOSED =		\$ 920.00				Amount to be refunded:		\$		charged:		\$	
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a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>920.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-2855</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																																											
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.																																											
SEND ALL CORRESPONDENCE TO: James P. Zeller MARSHALL, GERSTEIN & BORUN LLP 233 S. Wacker Drive, Suite 6300 Sears Tower Chicago, Illinois 60606-6357 (312) 474-6300 CUSTOMER NUMBER: 04743																																											
SIGNATURE:  NAME: James P. Zeller		28,491 REGISTRATION NUMBER																																									

PATENT

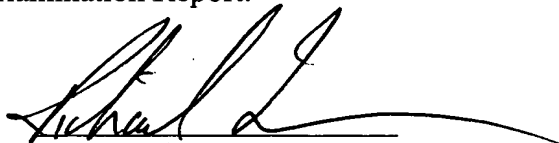
IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Applicants: Delfosse et al.)	For: LIGAMENT TENSIONING DEVICE
)	WITH CUTTIN JIG AND OSTEOTOMY
U.S. National Phase of)	PROCEDURE
PCT/EP03/01973 filed February 26,)	
2003)	Group Art Unit: To be assigned
Filed: Herewith)	
)	Examiner: To be assigned
)	
)	

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that the attached seven items (a) through (g) are being deposited with the United States Postal Service on September 30, 2004, in a postage-paid envelope addressed to Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EV323769829US.

- (a) Transmittal letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. §371;
- (b) International application as filed;
- (c) Application, including fourteen sheets of description, seven sheets of claims, one sheet abstract, and six sheets of drawings;
- (d) Preliminary Amendment;
- (e) Information Disclosure Statement;
- (f) International Search Report; and
- (g) International Preliminary Examination Report.


Richard Zimmermann